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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,589	02/03/2004	Shiping Ma	GEPL.P-085	3810
21121	7590	04/20/2006	EXAMINER	
OPPEDAHL AND LARSON LLP			SZEKELY, PETER A	
P O BOX 5068			ART UNIT	
DILLON, CO 80435-5068			PAPER NUMBER	

1714

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/771,589	<b>Applicant(s)</b> MA ET AL.	
	<b>Examiner</b> Peter Szekely	<b>Art Unit</b> 1714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/3/04.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/16/04, 7/23/04, 6/27/05</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 1, 6, 15, 24, 42, 47, 58 and 73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The term "thin walled" in claim 73 is a relative term, which renders the claim indefinite. The term "thin walled" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Numerical definition is required.
4. Claims 1, 6, 15, 24, 42, 47 and 58 contain improper Markush language and claims 6, 15, 24, 57 and 58 are rendered indefinite by the phrase "rubber like polymer".

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-73 are rejected under 35 U.S.C. 102(b or e) as being anticipated by Hoover 6,072,011, Hoover 6,657,018, Mitsuta et al. 2002/0193476, Venderbosch et al. 2003/0181603, Marugan et al. 2005/0085580 or Venderbosch et al. 2006/0014919.

7. Hoover ('011) discloses copolymers in claim 1 and siloxane concentration, sulfonate flame-retardants and PTFE in claim 6, fillers in the paragraph overlapping columns 4 and 5, copolymer, another polymer, sulfonate, PTFE, polycarbonate and titanium dioxide mineral filler with their concentrations in Examples 1 and 2. Hoover ('018) teaches copolymer, siloxane concentration, sulfonate flame-retardant and PTFE in claims 6-9, another polymer in claim 12, Fillers in the paragraph overlapping columns 4 and 5, sulfonate concentration in column 5, lines 22-23 and concentrations in Examples 1 and 2. Mitsuta et al. recite polycarbonate and filler in claim 1, talc in claim 2, flame-retardant in claim 5, phosphates in claim 6, another polymer in claim 7, PTFE in claim 9, linear and branched PC in paragraph 0028, copolymer and siloxane content in paragraphs 0030-0031, phosphate compounds in paragraph 0041, ABS in paragraph 0048, wall thicknesses in paragraph 0116 and PC/PDMS blends in Table 1. Venderbosch et al. ('603) divulge polycarbonate and another resin in claim 1, blends of PC/PDMS in claim 7, ABS in claim 8, phosphate esters in claim 6, blends of linear and branched polycarbonates in paragraph 0019, siloxane content in paragraph 0024, phosphate concentration in paragraph 0061, PTFE and its concentration in paragraph 0072 and talc in paragraph 0075. Marugan et al. reveal polycarbonate, polycarbonate-siloxane copolymer and titanium dioxide mineral filler in claims 1-3, ABS in claims 5-6, PTFE in claims 7-8, flame-retardants in claims 9-15, PTFE concentration in paragraph 0048, clay, talc and wollastonite in paragraph 0052 and phosphate concentration in Tables 2, 4 and 6. Venderbosch et al. ('919) display PC/PDMS copolymer and siloxane concentration in claims 1-4, ABS in claim 10, phosphates in paragraph 0051, their

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concentration in paragraph 0059, PTFE and its concentration in paragraph 0061-0062, talc and its concentration in paragraph 0092-0093 and PC/PDMS blends in the Tables.

All properties are inherent in the composition. Applicants' claims are not novel.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoover 6,072,011, Hoover 6,657,018, Mitsuta et al. 2002/0193476, Venderbosch et al. 2003/0181603, Marugan et al. 2005/0085580 or Venderbosch et al. 2006/0014919.

11. All references have been described already. It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to select applicants' ingredients from a list of equivalents and to use the resulting compositions for molding

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thin walled objects, since Mitsuta et al. show a wide range of thicknesses molded from their composition. All properties are inherent in the composition.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Szekely whose telephone number is (571) 272-1124. The examiner can normally be reached on 7:00 a.m.-5:30 p.m. Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Peter Szekely  
Primary Examiner  
Art Unit 1714

P.S.  
4/14/06